

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ARJENT SERVICES, LLC,

Plaintiff,

v.

JOSEPH M. SCIRE and JOYCE B. SCIRE,

Defendants.

Case No. 08 CIV 6510

**STIPULATION TO MARK
OFF-CALENDAR
PLAINTIFF'S MOTION FOR
PRELIMINARY INJUNCTION
AND TEMPORARY
RESTRAINING ORDER**

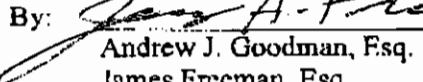
STATE OF NEW YORK)
)
COUNTY OF NEW YORK)

WHEREAS, Plaintiff Arjent Services, LLC has moved pursuant to Rule 65 of the Federal Rules of Civil Procedure for (a) a preliminary injunction to stay as to Plaintiff an arbitration commenced by Defendants Joseph M. Scire and Joyce B. Scire pending final judgment in this action, and (b) for a temporary restraining order staying the arbitration as to Plaintiff pending hearing and determination of this action. On July 22, 2008, United States District Court Hellerstein executed the Order to Show Cause for Preliminary Injunction and Temporary Restraining Order and marked the motion on calendar for July 29, 2008.

IT IS HEREBY STIPULATED AND AGREED between the parties that, in order to avoid the cost of litigation, Plaintiff's motion should be marked off-calendar without prejudice so as to allow the parties the opportunity to mediate the arbitration proceeding through the FINRA mediation program. In the event the mediation proves unsuccessful, Plaintiff reserves the right to renew this action and restore the motion to the calendar.

AGREED:

GARVEY SCHUBERT BARER

By: 
Andrew J. Goodman, Esq.
James Freeman, Esq.
100 Wall Street, 20th Floor
New York, NY 100
(212) 431-8700

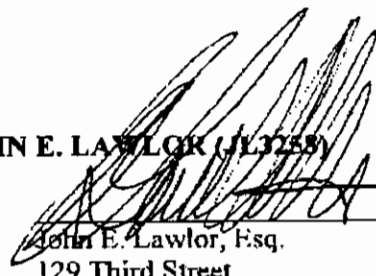
Attorneys for Arjent Services, LLC

Dated: July 28, 2008

IT IS SO ORDERED:

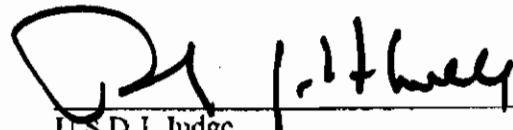
DATED: 7/29, 2008

JOHN E. LAWLOR (JL3258)

By: 
John E. Lawlor, Esq.
129 Third Street
Mineola, NY 11501

Attorneys for Defendants
Joseph M. Scire and Joyce B. Scire

Dated: July 28, 2008


U.S.D.J. Judge
Part I



GARVEY SCHUBERT BARET
A PARTNERSHIP OF PROFESSIONAL CORPORATIONS

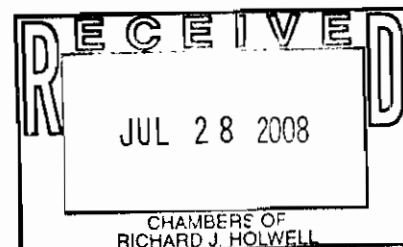
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To: **Hon. Richard J. Holwell**
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Fax: 12128057948
Phone:

From: **James Freeman/Andrew Goodman**
Fax: 212-334-1278
Phone: 212-965-4524/34 DIRECT
Client/Matter: /



Number of pages (Including cover): 3

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